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COMPENSATION COMMISSION

Decision Concerning Part One of the First Instalment of Individual Claims for Damages above US$100,000 (Category "D" Claims) taken by the Governing Council of the United Nations Compensation Commission at its 75th meeting, held on 2 February 1998 at Geneva

The Governing Council,

Having received, in accordance with article 38 of the Provisional Rules for Claims Procedure, the first report of the Panel of Commissioners appointed to review individual claims for damages above US$100,000 (category "D" claims), covering 69 individual claims, [1]/

Having been assured in writing by the Panel, in response to a request by the Governing Council for additional information, that the Panel consistently required documentary and other appropriate evidence in accordance with established criteria adopted by the Governing Council and only in exceptional situations and for an element of loss relied on Acceptable Explanatory Statements (as defined in paragraph 75 of the report) in conjunction with such documentary and other appropriate evidence to determine that a loss was compensable, [2]/

1. Approves the recommendations made by the Panel of Commissioners, and, accordingly,

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[1]/ The text of the report is attached hereto (document S/AC.26/1998/1). In conformity with the provisions on confidentiality in the Provisional Rules for Claims Procedure (articles 30, paragraph 1, and 40, paragraph 5), a table containing the breakdown of the amounts to be paid to each individual claimant will not be made public, but will be provided to each respective Government and international organization separately.

[2]/ The text of the explanatory letter of 19 January 1998 by the Chairman of the Panel, contained in document S/AC.26/1998/2, is attached hereto.

2. Decides, pursuant to article 40 of the Rules, to approve the amounts of the recommended awards concerning 61 claims included in the report. The aggregate amounts per country or international organization, as listed in annex II of the report, are as follows:

Country or International Organization	Number of Claims Recommended for Payment	Number of Claims Not Recommended for Payment	Amount of Compensation Recommended (US$)
Australia	2	-	105,307.00
Brazil	0	3	0.00
Canada	9	-	474,954.00
France	1	-	137,854.00
Germany	1	-	55,360.00
India	3	-	52,283.00
Ireland	1	-	7,400.00
Israel	1	-	98,429.00
Italy	1	-	88,584.00
Jordan	8	2	407,042.00
Kuwait	13	-	1,252,509.00
Pakistan	1	-	25,572.00
Sudan	1	-	24,913.00
Sweden	1	-	10,000.00
United Kingdom	5	-	187,560.00
United States	5	2	2,424,418.00
UNDP Washington D.C.	1	-	53,976.00
Total Recommended	54	7	5,406,161.00

3. Reaffirms that when funds become available payments shall be made in accordance with Decision 17 [S/AC.26/Dec.17 (1994)],

4. Recalls that when payments are made in accordance with Decision 17 [S/AC.26/Dec.17 (1994)] and pursuant to the terms of Decision 18 [S/AC.26/Dec.18 (1994)], Governments and international organizations shall distribute amounts received in respect of approved awards within six months of receiving payment, and shall, not later than three months after the expiration of this time limit, provide information on such distribution,

5. Notes that no recommendations have been made at this stage for 7 claims referred to in paragraph 19 and one claim referred to in paragraph 31 of the report,

6. Requests the Executive Secretary to provide a copy of the report to the Secretary-General and the Government of the Republic of Iraq and copies of the report and the tables containing the breakdown of the amounts to be paid to each individual claimant to each respective Government and international organization.